DoD
Office of Security Review

2009 Update

Office of Security Review
Department of Defense

Historical Perspective

- Security Review function started in the War Department in 1940.
- President Truman demanded a single voice from Services in representations to Congress & press.
  - National military establishment created in spring 1949.
  - Security Review formalized by Secretary Forrestal on 17 March 1949.

Historical Perspective

- President Kennedy called for Executive Branch security reviews in 1961; And not to disclose names of reviewers to avoid chilling candid responses in the review process.

- DEPSECDEF Wolfowitz April 2001 calls for no classified info to be released without a security review.

Outline

- Quick Review
  - What do we do?
- Accomplishments
  - The last 12 months
- Current Initiatives

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Quick Review

How to Reach Us

- **Official Mail:**

  Department of Defense

  Office of Security Review

  1155 Defense Pentagon

  Washington DC 20301-1155

- **Next Day Delivery:**

  Department of Defense

  Office of Security Review

  1777 N. Kent Street, Suite 12047

  Arlington, VA 22209

Quick Review

What we do

1. We review and clear DoD Information for public release
   - Based upon several DoD Directives and Instructions
   - Congressional testimony, QFR's, IFR's
   - DoD Related Articles, Publications, Speeches
   - GAO Reports

Quick Review

What we do

2. We review and approve security review requests for the private sector

   - We're mentioned in the ITAR (125.4(b)13))
   - Examples include marketing materials, presentations, videos, papers, and articles which may contain ***technical data*** as defined in the ITAR once cleared by DoD there is no required involvement by the State Department for publication of this information
   - Expect 2-4 week turn around

Technical Data

- Information relating to defense articles or defense services and required for
  - **operation**
  - **repair**
  - **testing**
  - **maintenance**
  - **modification**
  - **design**
  - **development**
  - **production**
  - **manufacture**
  - **assembly**
- Includes blueprints, drawings, photographs, plans, instructions, and documentation
- Software as defined in U.S. Munitions List
- Does not include basic marketing info on function, purpose or general descriptions of defense articles

ITAR, 22 CFR § 120.10

DoD Policy on Technology

- A valuable, limited national security resource
- Protected and invested in pursuit of national security objectives
- International trade is key to strong U.S. industrial base
- Export controls in a way to minimally interfere with legitimate trade

DoD Policy on the Release of Information

- Make available accurate information to the public, the Congress, and the news media to help them understand Defense strategy and national security issues consistent with security requirements, and exceptions to disclosure under the Freedom of Information Act (FOIA).
- Official DoD information intended for public release must be reviewed for clearance.
  - Classified information will not be disclosed
  - Information released officially is consistent with established national and DoD policies and programs.

Security Review Program

- DoD Directive 5230.09 "Clearance of DoD Information for Public Release"
- DoD Instruction 5230.29 "Security and Policy Review"
  - Responsible for the security/policy review and clearance of official DoD information proposed for official public release by DoD employees.
  - Final clearance authority for the Department of Defense for documents intended for public release.
  - Appeal rights are granted to submitter for any information denied for public release.

Security Review Program

- Key concepts (DoD Directive 5230.09, Aug 22, 2009)
  - Purpose of a security/policy review
  - Clearance of information at the lowest level
  - Academic freedom within DoD schools (unless bein

    published or kept in a library)
- Timeframes (DoD Instruction 5230.29, Jan 8, 2009)
  - Congressional documents (5 workdays)
  - Speeches and abstracts (5 workdays)
  - Technical DoD papers/briefings (10+ workdays)
  - Manuscripts and theses (30 workdays)
  - Defense Article information (10-20 workdays)

Security Review Program

- Congressional Requests (DoD Directive 5400.4, "Provision of Information to Congress," Jan 3, 1978)
  - Witness statements/testimony
  - Transcripts and QFRs/IFRs
  - Budget documents and other reports
- GAO reports (DoD Instruction 7650.02, Nov 20, 2006)
- Manuscripts and theses
- Papers and reports
- Audio and visual information

Security Review Program

- Technical Documents
  (DoD Directive 5230.24, March 1987 and International Traffic in Ar
  Regulations)

  - DoD contractors are required to submit proposed presentations for review as outlined in their specific contractual requirement.

  - Voluntary submissions of information (not required by contract or information resulting from independent research an development funds) are routinely reviewed for clearance.

Security Review Program

- Technical Documents

  (DoD Directive 5230.24, March 1987 and International Traffic in Arm Regulations)

  - Originated by industry using corporate funds voluntarily submitted for review.
  - Information cleared for public release by OSR exempts it from export license requirement [§125.4 (b) (13) ITAR]
  - Contains technical information related to Defense articles on the U.S. Munitions List and subject to export controls under the International Traffic in Arms Regulations (ITAR).

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How Did We Do Last Year?

- **For FY 2008**
  - 1598 Congressional Review Requests
  - 2755 Security Review Requests
  - 73 DoD Directives Reviewed
  - 24 GAO Reports
  - 65 FRUS Cases

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Current Workflow Initiatives

- Exploring ways to improve
  - Updated web site
  - Accept e-mail requests (secrev1@whs.mil)
    - MUST mention in body of e-mail case is unclas
    - Still INCLUDE letter on letterhead with submission
  - Desktop scanners for all action officers
    - For electronic storage of cases for quicker turnaround sending and receiving from reviewers, archiving, and retrieval
    - Both UNCLAS and CLAS scanners available

ESD-Security Review Division - Microsoft Internet Explorer provided by WHS !

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- How to Submit
- Forms
- Contact Information
- ICE

WHS Services

Office of Security Review

Mission:

Conduct the security and policy review for clearance of official DoD information proposed for official public release by the DoD and its employees (military and civilian). Thus, make available accurate and unclassified information to the public, the Congress, and the news media to help them understand Defense strategy and national security issues.

Such includes reviews of proposed testimony before congressional committees, International Traffic in Arms Regulations (ITAR) controlled technical data that were generated under other than DoD contracts, and material submitted by sources outside the Department of Defense for such review.

Latest Update!

The Official site of Washington Headquarters Services, Arlington, VA

Contact WHS | No FEAR Act Data | Security and Privacy Notice | External Link Disclaimer | Internet Home

Current Initiatives

- Installed SIPRNet connectivity
  For classified submittals and to reach reviewers
- Updated applicable DoD Directive (5230.09) and Instruction (5230.29)
- Updating database software
  - Including ability upload UNCLAS completed cases
  - Track performance of major reviewers
  - Automate additional metrics

Security Review Program

Speeding the Process

- Express Mail is an option
- Hand delivery is acceptable
- Call OSR 24-48 hours after receipt to obtain a Control Number and name of the Action Officer
  - Do call when concerned about a suspense
  - Use your judgment when to call

Security Review Program

Speeding the Process

- Send 5 “legible” copies
  - Do not reference classified or FOUO material
  - Use of paper, CD, VHS, and DVD are all acceptable
- Avoid “How to’s”
  - Stay with marketing level detail
    - Be careful with technical drawings
    - We usually cannot approve models
- Submit “final” versions only – no DRAFTS

Security Review Program

Speeding the Process

- No more than 5 requests per letter
- OSR cannot help with establishing off-shore procurement arrangements
  - A limitation of ITAR 125.4 (b) (13)
- Allow sufficient time
  - Especially SIGINT related documents
- Remove old markings that no longer apply
  - ITAR warnings
  - Proprietary statements

Summary

- **OSR will continue to improve customer service through**
  - **Increased customer education**
    - Use of a web based initiative
  - **Process Improvement**
    - Reduce case transmittal time (office e-mail)
    - Provide electronic copies to reviewers
    - Further improve database for case information storage, transmittal sheets and outcome
      - Move toward electronic storage of document at security review completion

Questions?

- Office e-mail address
  - secrev1@whs.mil
  - walter.king@whs.mil
  - 703-696-4722